

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

OLYMPIA HOTEL MANAGEMENT, LLC,  
a Delaware limited liability company,

Plaintiff,

v.

THE BEND HOTEL DEVELOPMENT  
COMPANY, LLC, an Illinois limited liability  
company,

Defendant.

**Civil Action No. 2:20-cv-136-NT**

**DECLARATION OF JOHN SCHULTZEL**

I, John Schultzel, hereby declare under oath as follows:

1. I am the Chief Growth Officer of The Olympia Companies, a component of which is Olympia Hotel Management, LLC (“Olympia”), the Plaintiff in this case. I have held this position since 2019. Previously, I was Vice President of Hotel Management at Olympia.

2. I live and work in Maine and did so at all times relevant to this dispute.

3. I was the primary negotiator on Olympia’s behalf of the Hotel Management Agreements (“HMAs”) that are the subject of this lawsuit. Those negotiations emerged from a cold call to Olympia from J. Paul Beitler, an agent for Great River Property Development Hotels, LLC (“Great River”), in 2013.

4. Negotiations over the terms of the HMAs between Olympia and Great River took several months, continuing through the execution of the HMAs in May 2014.

5. From Maine, I prepared drafts of the HMAs through counsel and provided them to Great River’s agents for their review and comment.

6. During these negotiations, Great River's agents, including J. Paul Beitler and his son, JP Beitler, directed several emails regarding the terms of the HMAs to me in Maine.

7. Attached as **Exhibit A** is a true and correct copy of email correspondence between Olympia personnel and counsel, and Great River's agents and counsel, as we negotiated the HMAs in March and April 2014. Great River provided its own versions of the HMAs to Olympia in the email from JP Beitler dated March 28, 2014.

8. I have reviewed the Declaration dated May 29, 2020, that Michael VanDeHeede submitted in support of Defendant's Motion to Dismiss in this matter.

9. Paragraph 15 of VanDeHeede's Declaration implies that I traveled to Chicago to execute the HMAs. In fact, the HMAs were signed on Olympia's behalf by Kevin Mahaney, rather than myself, and were signed electronically rather than in person. There was no in-person execution of the HMAs by both parties, either in Illinois or anywhere else.

10. On March 9, 2017, counsel for The Bend Hotel Development Company, LLC ("The Bend") emailed me a chart displaying the ownership structure for The Bend, a true and correct copy of which is attached as **Exhibit B**.

11. Exhibit B confirmed my understanding that Michael Jacobs, Larry Anderson, and Michael Daniel "Dan" Murphy, Jr., are the three individuals that hold ownership interests in The Bend.

12. Through Olympia's multi-year relationship with Great River and The Bend, I learned that Michael Jacobs is a former Illinois state Senator and lives in Illinois; that Larry Anderson is a prominent local businessman in East Moline and also resides in Illinois; and that Dan Murphy resides in Wisconsin. I have no reason to think that any of three men reside in Maine.

13. Under the HMAs, Olympia provided a broad spectrum of management and operational services to the Hyatt-branded extended stay and select service hotel in East Moline, Illinois (the “Hotel”) from Olympia’s offices in Maine.

14. As Vice-President of Hotel Management, I personally provided a number of services to the Hotel pursuant to the HMAs between mid-2018 and June 2019, when Rick Martin assumed operational oversight of the Hotel.

15. These services included operational design support, pre-opening supervision of Hotel operations and facilities, and general operational oversight of the Hotel, including supervision of the Hotel’s on-site General Manager.

16. During this period, I was in routine contact with Mike VanDeHeede, the owners’ representative.

17. A number of Olympia staff under my supervision, also located in Maine, also provided services to Olympia under the HMAs.

18. Rick Martin is Director of Operations at Olympia and works in Portland, Maine. He assumed operational oversight over the Hotel in June 2019. After that time, Mr. Martin oversaw the Hotel’s on-site General Manager and provided ongoing support and direction in key areas of hotel operation and performance.

19. Michelle Pritchard provided Human Resources support for the Hotel. From Maine, she handled employee relations, training, and claims management. Alison Briggs, Ms. Pritchard’s supervisor, provided oversight and assistance to Ms. Pritchard in providing these services for the Hotel.

20. Jason Cotton, who recently left Olympia, was Regional Director of Operations and worked in Portland. From Maine, he helped develop the Hotel’s food and beverage

program, including developing the menus for the Hotel's food and beverage outlets and performing initial training of food and beverage personnel.

21. Greg MacLean, Olympia's Director of Operations, works in Maine. He negotiated the Hotel's larger contracts, including for cleaning supplies, food and beverages, and guest supplies, from Maine.

22. Lori McNaught is Director of Revenue Management and works in Maine. From Maine, she assisted the on-site General Manager with setting the Hotel's rate structure. From Maine, Lori was in weekly contact with staff at the Hotel.

23. Amanda Theberge is Marketing Manager and works in Maine. From Maine, she managed the Hotel's marketing, including development of its logo, periodic promotion of its food and beverage program, and other public relations.

24. Don Hopkins is Director of Facilities and works in Maine. From Maine, he provided training to the on-site Chief Engineer and provided expertise and tools to assist the Chief Engineer with day-to-day maintenance tasks.

I declare under the penalties of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 18, 2020

/s/ John Schultzel  
John Schultzel

**CERTIFICATE OF SERVICE**

I hereby certify that on the date indicated below I caused a copy of the foregoing pleading to be filed with the Court's ECF filing system, which will cause an electronic notice to be sent to counsel of record.

Dated: June 19, 2020

/s/ Kyle M. Noonan

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